IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.564 OF 2007
IN
SESSIONS CASE NO.1009 OF 2006

Lalchand Bechai Yadav ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.Ghulam Rasool Khan advocate for applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 3, 2007

P.C.

1. Leave to amend granted. Amendment to be carried out forthwith.

2. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

3. The applicant is seeking bail in C.R.No. 280 of 2006 of Khar Police Station, Mumbai. The said case is under Sections 392 and 302 of IPC.

4. It is the prosecution case that the applicant along with others entered into the house of

complainant on 13.7.2006 and committed robbery at the point of deadly weapons and while committing robbery, caused murder of wife of the complainant.

5. The learned A.P.P. has pointed out that there is recovery at the instance of the applicant of gold chain having ‘Gurunanak pendant" and one bracelet. Both these articles have been identified by the complainant. The learned A.P.P. has further stated that the applicant was arrested on 12.8.2006 from Uttar Pradesh. Hence, if the applicant is granted bail, he is likely to abscond. The learned A.P.P. has further stated that in the present case charge has been framed and witness summons have been issued and the case is placed tomorrow i.e. on 4.4.2007. In view of the fact that trial has commenced, I am not inclined to grant bail at this stage. Application is rejected. However, if the trial is not completed by 30.6.2007, liberty is granted to the applicant to prefer a fresh application for bail.

6. Application is rejected.

[Smt. V.K.Tahilramani, J.]